

## Message Text

SECRET

PAGE 01 USUN N 00975 122218Z

10

ACTION IO-03

INFO OCT-01 ISO-00 SS-14 ARA-06 AF-04 EA-06 NEA-06 EUR-08

NSC-05 NSCE-00 L-01 INR-05 CIAE-00 PRS-01 /060 W

----- 118527

R 122109Z MAR 76

FM USMISSION USUN NY

TO SECSTATE WASHDC 6283

INFO AMEMBASSY LONDON

AMEMBASSY MOSCOW

AMEMBASSY PARIS

S E C R E T USUN 975

LIMDIS

E.O. 11652: GDS

TAGS: PFOR, UN, UK, FR, UR

SUBJ: THE VETO IN THE SECURITY COUNCIL - ARTICLE 27(3)

REF: USUN 561

1. SCALABRE (FRANCE) INFORMED MISOFF AND STEEL (UKUN) THAT GOF HAD REFLECTED FURTHER ON THE PROBLEM OF LOSS OF VOTE PURSUANT TO UN CHARTER ARTICLE 27(3) IN GENERAL AND IN THE MAYOTTE CONTEXT IN PARTICULAR.

2. SCALABRE SAID QUAI HAD CONCLUDED: (A) WHILE SCENARIO DESCRIBED PARAGRAPHS 2 AND 3 OF REFTEL DESCRIBED BEST APPROACH TO ATTEMPTING TO AVOID LOSS OF VOTE THERE WAS NO GUARANTEE IT WOULD WORK EVEN WITH A FRIENDLY PRESIDENT AND WOULD CERTAINLY NOT WORK UNDER A HOSTILE CHAIRMAN (B) FRANCE WAS PREPARED TO ENTER INTO AN AGREEMENT THAT IN ANY CASE IN WHICH A PERMANENT MEMBER WAS BARRED FROM VOTING PURSUANT TO ARTICLE 27(3) THE OTHER PERMANENT MEMBERS WOULD VOTE "NO" ON THE RESOLUTION.

3. IN RESPONSE TO QUESTIONS FROM MISOFF AND STEEL (UK), SCALABRE SAID GOF HAD DECIDED TO OFFER FORMALLY TO MAKE AN ARRANGEMENT PURSUANT TO WHICH GOF WOULD COMMIT ITSELF

SECRET

SECRET

PAGE 02 USUN N 00975 122218Z

TO VETO ANY RESOLUTION ON WHICH A PERMANENT MEMBER HAD

BEEN BARRED FROM VOTING BY THE APPLICATION OF ARTICLE 27(3).  
HE SAID THAT IF US AND UK PREFERRED TO LIMIT SUCH AN AGREEMENT  
TO US, UK AND FRANCE THAT WOULD ALSO BE ACCEPTABLE TO GOF.

4. SCALABRE ASKED WHETHER USUN OR UKUN HAD RECEIVED ANY  
REACTIONS TO REPORT OF EARLIER MEETING. HE MADE IT CLEAR  
FRANCE WAS ANXIOUS TO PURSUE THE MATTER BECAUSE THEY EXPECTED  
TO FACE THE MUSIC WHEN MAYOTTE ISSUE CAME BACK TO COUNCIL AS  
THEY WERE SURE IT WOULD IN NEAR FUTURE AND PROBABLY WITH  
HOSTILE PRESIDENT (BENIN). SCALABRE SAID GOF FULLY AWARE  
THEY MIGHT BE CALLED TO HONOR THEIR SIDE OF THE BARGAIN ON  
ISSUES RELATING TO PANAMA, FALKLANDS, ICELAND, RHODESIA,  
ETC., AND WERE FULLY PREPARED TO DO SO.

5. STEEL SAID UKUN HAD RECEIVED NO COMMENT FROM LONDON.  
HE EXPRESSED AGREEMENT WITH FRENCH VIEW THAT SCENARIO SET  
FORTH PARAGRAPHS 2 AND 3 OF REFTEL UNLIKELY TO HOLD IN THE  
LONG RUN. HE SAID HE COULD NOT ESTIMATE WHAT UK REACTION  
WOULD BE TO WHAT HE CALLED "MUTUAL DEFENSE PACT" TO COVER  
FOR EACH OTHER IF ARTICLE 27(3) APPLIED TO ANY OF US.  
HE SAID IT OBVIOUSLY INVOLVED A MAJOR COMMITMENT THAT WOULD  
REQUIRE MINISTERIAL LEVEL DECISION. HE SAID THAT HE BELIEVED  
THERE VIRTUALLY NO CHANCE HMG WOULD ENTER SUCH AN  
ARRANGEMENT WITH THE USSR AND PRC.

6. MISOFF REPLIED ALONG SIMILAR LINES. MISOFF WENT ON TO  
RAISE, MAKING CLEAR HE WAS DOING SO ON PERSONAL BASIS,  
QUESTION WHETHER QUAI LAWYERS HAD EXAMINED FOLLOWING ISSUES:

(A) WHETHER SUCH A COURSE OF ACTION WOULD NOT BE WIDELY  
VIEWED AS SO HARSH AN APPLICATION OF PERMANENT MEMBER  
PEROGATIVES THAT IT WOULD SPLIT THE COUNCIL INTO A  
"THEM AGAINST US" CLIMATE IN A WAY THAT WOULD UNDERMINE  
THE WHOLE SYSTEM AND THUS MAKE THE COUNCIL EVEN LESS  
RECEIPTIVE TO ANY ACTION WE WANTED OUT OF IT FOR THE FORSEEABLE  
FUTURE AND GREATLY ENHANCE THE MOOD TO RESORT TO UNITING  
FOR PEACE; (B) WHETHER SUCH A COURSE OF ACTION WAS COMPATIBLE  
WITH OUR LEGAL OBLIGATIONS UNDER THE CHARTER; AND (C)  
WHETHER IGNORING LEGAL OBLIGATIONS WAS IN THE INTEREST OF  
STATUS QUO POWERS SUCH AS FRANCE, UK AND US--PARTICULARLY  
SECRET

SECRET

PAGE 03 USUN N 00975 122218Z

IN A SITUATION WHERE IT IS A RECOMMENDATION WHICH IS INVOLVED  
AND NOT A BINDING DECISION. (STEEL LATER COMMENTED TO MISOFF  
THAT HE TOO HAD BEEN HAVING QUALMS ALONG THESE LINES--  
PARTICULARLY POINT (A).)

7. SCALABRE REPLIED THAT HE PRESUMED QUAI HAD  
CONSIDERED THESE ISSUES BEFORE REACHING ITS DECISION.

8. COMMENT: FRENCH ARE CLEARLY VERY CONCERNED AT IMPLICATIONS  
OF APPLICATION ARTICLE 27(3) IN GENERAL AND FOR MAYOTTE  
SITUATION IN PARTICULAR. THEY ARE PRESSING FOR A PROMPT  
RESPONSE TO A FORMAL OFFER. DEPARTMENT'S VIEWS REQUESTED.

BENNETT

SECRET

NNN

## Message Attributes

**Automatic Decaptioning:** Z  
**Capture Date:** 01 JAN 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** DIPLOMATIC DISCUSSIONS, MEETING VOTING RECORDS, MEETING PROCEEDINGS  
**Control Number:** n/a  
**Copy:** SINGLE  
**Draft Date:** 12 MAR 1976  
**Decaption Date:** 28 MAY 2004  
**Decaption Note:** 25 YEAR REVIEW  
**Disposition Action:** RELEASED  
**Disposition Approved on Date:**  
**Disposition Authority:** BoyleJA  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 28 MAY 2004  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
**Disposition Remarks:**  
**Document Number:** 1976USUNN00975  
**Document Source:** CORE  
**Document Unique ID:** 00  
**Drafter:** n/a  
**Enclosure:** n/a  
**Executive Order:** GS  
**Errors:** N/A  
**Film Number:** D760095-0752  
**From:** USUN NEW YORK  
**Handling Restrictions:** n/a  
**Image Path:**  
**ISecure:** 1  
**Legacy Key:** link1976/newtext/t19760364/aaaaceqr.tel  
**Line Count:** 121  
**Locator:** TEXT ON-LINE, ON MICROFILM  
**Office:** ACTION IO  
**Original Classification:** SECRET  
**Original Handling Restrictions:** LIMDIS  
**Original Previous Classification:** n/a  
**Original Previous Handling Restrictions:** n/a  
**Page Count:** 3  
**Previous Channel Indicators:** n/a  
**Previous Classification:** SECRET  
**Previous Handling Restrictions:** LIMDIS  
**Reference:** n/a  
**Review Action:** RELEASED, APPROVED  
**Review Authority:** BoyleJA  
**Review Comment:** n/a  
**Review Content Flags:**  
**Review Date:** 20 APR 2004  
**Review Event:**  
**Review Exemptions:** n/a  
**Review History:** RELEASED <20 APR 2004 by ElyME>; APPROVED <17 AUG 2004 by BoyleJA>  
**Review Markings:**

Margaret P. Grafeld  
Declassified/Released  
US Department of State  
EO Systematic Review  
04 MAY 2006

**Review Media Identifier:**  
**Review Referrals:** n/a  
**Review Release Date:** n/a  
**Review Release Event:** n/a  
**Review Transfer Date:**  
**Review Withdrawn Fields:** n/a  
**Secure:** OPEN  
**Status:** NATIVE  
**Subject:** THE VETO IN THE SECURITY COUNCIL - ARTICLE 27(3)  
**TAGS:** PFOR, UK, FR, UR, US, UN, UNSC  
**To:** STATE  
**Type:** TE  
**Markings:** Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 04 MAY 2006